

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

RAHEEM J. BRENNERMAN,

Defendant.

No. 17-cr-337 (RJS)
ORDER

RICHARD J. SULLIVAN, Circuit Judge:

By order dated November 5, 2020, the Court denied a *pro se* discovery request submitted by Defendant Raheem J. Brennerman, which sought records from both ICBC (London) plc, the victim in this case, and the government. (Doc. Nos. 248, 249.) In response, Brennerman has submitted a *pro se* letter requesting that the Court reconsider that decision. (Doc. No. 250.) Like most of his filings, Brennerman spends the bulk of his letter criticizing this Court's and other courts' past decisions and attempting to relitigate broad swaths of his case. (*Id.* at 2–8.) As the Court has already made clear, however, these arguments provide no basis on which to grant Brennerman the discovery he requests given that he “has never ‘offered [any] justification for the indiscriminate introduction of evidence that was not introduced at trial.’” (Doc. No. 249 at 2 (quoting Doc. No. 166 at 2).) That is particularly true because the Second Circuit, in a decision that is binding on this Court, already determined that the government complied with its disclosure obligations in this case. (*Id.* at 2–3.)

Brennerman's request for reconsideration also makes several passing references to the ongoing COVID-19 pandemic, suggesting that because of his pre-existing medical conditions, Brennerman is at acute risk of complication should he contract the disease. (Doc. No. 250 at 8.)

Even if that is true, that fact is irrelevant to a motion seeking discovery into the merits of Brennerman's underlying crime. To the extent Brennerman believes that COVID-19 demands his release from incarceration, he can make that argument in a motion for compassionate release under 18 U.S.C. § 3582(c)(1)(A).

Accordingly, nothing in Brennerman's letter alters the Court's prior conclusion, and Brennerman's request for reconsideration is therefore DENIED. The Clerk of Court is respectfully directed to mail a copy of this order to Brennerman.

SO ORDERED.

Dated: November 20, 2020
New York, New York



RICHARD J. SULLIVAN
UNITED STATES CIRCUIT JUDGE
Sitting by Designation